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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PENDALTON DIVISION

<b>MARTIN MERAZ,</b>  Plaintiff,  v.  <b>MMT TRANSPORT, INC., a foreign corporation, and PETKO PETROV, an individual</b>  Defendants.	<b>Case No. 2:19-cv-00648-SU</b>  <b>JOINT STIPULATION OF DISMISSAL</b>
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Pursuant to Federal Rule of Civil Procedure 41(a), plaintiff Martin Meraz and Defendants MMT Transport Inc., and Petko Petrov (the “Parties”), move the court for an order dismissing this case without prejudice and without costs, and with rights to any party to reopen the case in the event of a failure to consummate within 60 days the agreement below.

WHEREAS,

Plaintiff originally filed this case in Umatilla County Circuit Court in the State of Oregon on January 30, 2019, and Defendants MMT Transport Inc., and Petko Petrov removed this case to this court in order to consolidate it with a related case, numbered 2:19-cv-00581-SU.

WHEREAS,

Case number 2:19-cv-00581-SU was subsequently remanded back to Umatilla County Circuit Court due to lack of subject-matter jurisdiction, and Parties now wish to dismiss this case so that it can be refiled in Umatilla County Circuit Court and consolidated with the case formerly 2:19-cv-00581-SU.

WHEREAS,

Statutory time limitations would arguably impair Plaintiff from recovering for its claims in Oregon State Court, absent agreement between the parties, thereby preventing the objectives of the Parties.

NOW, THEREFORE the parties agree and stipulate as follows:

1. Pursuant to Federal Rule of Civil Procedure 41 (a), the Parties Jointly stipulate to the voluntary dismissal of this action without prejudice, without costs, and with rights to any party to reopen the case in the event of a failure to consummate within 60 days the agreement between the parties to refile this case in Oregon State Court for the County of Umatilla, and abide by the terms as further described below;
2. Defendant waives any legal or other defenses with regards to time-limitations or otherwise that would not have existed had this case not been dismissed and necessitate refiling. The date of filing and service will be treated as they originally existed in Umatilla County Circuit Court Case Number 19CV04759.

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3. The parties agree that the Court will retain jurisdiction to enforce this Stipulation and agreement, if necessary.

Each undersigned representative of the Parties certifies that he or she is fully authorized to enter into and execute the terms and conditions of this Joint Stipulation of Dismissal.

IT IS SO ORDERED this 18th day of July, 2019.

/s/ Patricia Sullivan  
Honorable Judge Patricia Sullivan

IT IS SO STIPULATED AND AGREED this 17<sup>th</sup> day of July, 2019:

PARKE GORDON, LLC

/s/ Joel T. Janke

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